

21 C.J.S. Courts § 290

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Courts

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VIII. Concurrent and Conflicting Jurisdiction

B. State and United States Courts

3. Review of Judgments

b. Restrictions on Application of *Rooker-Feldman* Doctrine

§ 290. *Rooker-Feldman* limited to state judgment prior to federal suit

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West's Key Number Digest

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The *Rooker-Feldman* doctrine is confined to federal suits brought by state-court losers complaining of injuries caused by state-court judgments rendered before the federal proceedings commenced.¹ Accordingly, the doctrine precludes federal court jurisdiction only if the federal suit is commenced after the state court proceedings have ended² or are final.³ The reasoning is that there is no state court judgment to review if the federal suit is filed prior to completion of the state-court action.⁴

If the federal litigation is initiated before state proceedings have ended, then, even if the federal plaintiff expects to lose in state court and hopes to win in federal court, the litigation is parallel, and the *Rooker-Feldman* doctrine does not deprive the federal court of jurisdiction.⁵ By contrast, if the federal litigation is initiated after similar state proceedings have ended, and the plaintiff implicitly or explicitly seeks review and rejection of the state judgment, then a federal suit seeking an opposite result is an impermissible attempt to appeal the state judgment to the lower federal courts, and, under the doctrine, the federal courts lack jurisdiction.⁶

Doctrine of dominant jurisdiction.

The principal difference between claim preclusion (*res judicata*), which does not affect federal jurisdiction, and the *Rooker-Feldman* doctrine, which does, is that the latter doctrine deals with situations in which the state court's decision is the source of the harm that the federal suit is designed to redress.⁷

When there is parallel state and federal litigation, the jurisdictional bar of *Rooker-Feldman* is not triggered simply by entry of a judgment in the state court proceedings; rather, once the state court adjudication is complete, disposition of the federal action is governed by preclusion law.⁸ In this connection, it has been observed that the *Rooker-Feldman* doctrine does not otherwise override or supplant preclusion law⁹ or augment doctrines that allow federal courts to stay or dismiss proceedings in deference to state court actions.¹⁰

The *Rooker-Feldman* doctrine does not bar a challenge in federal court to a rule on which a state-court judicial decision was based if the rule was promulgated in a nonjudicial proceeding.¹¹

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Footnotes

- 1 U.S.—*Exxon Mobil Corp. v. Saudi Basic Industries Corp.*, 544 U.S. 280, 125 S. Ct. 1517, 161 L. Ed. 2d 454 (2005).
- 2 U.S.—*Federacion de Maestros de Puerto Rico v. Junta de Relaciones del Trabajo de Puerto Rico*, 410 F.3d 17 (1st Cir. 2005); *McKithen v. Brown*, 626 F.3d 143 (2d Cir. 2010); *Dornheim v. Sholes*, 430 F.3d 919 (8th Cir. 2005).
- 3 U.S.—*Bear v. Patton*, 451 F.3d 639 (10th Cir. 2006).
- 4 U.S.—*Dornheim v. Sholes*, 430 F.3d 919 (8th Cir. 2005).
- 5 U.S.—*States Resources Corp. v. The Architectural Team, Inc.*, 433 F.3d 73 (1st Cir. 2005).

- 6 U.S.—*Federacion de Maestros de Puerto Rico v. Junta de Relaciones del Trabajo de Puerto Rico*, 410 F.3d 17 (1st Cir. 2005); *Elyazidi v. SunTrust Bank*, 780 F.3d 227 (4th Cir. 2015).
- 7 U.S.—*Simmons v. Gillespie*, 712 F.3d 1041 (7th Cir. 2013); *Carmona v. Carmona*, 603 F.3d 1041 (9th Cir. 2010).
- 8 U.S.—*Exxon Mobil Corp. v. Saudi Basic Industries Corp.*, 544 U.S. 280, 125 S. Ct. 1517, 161 L. Ed. 2d 454 (2005).
- 9 U.S.—*Exxon Mobil Corp. v. Saudi Basic Industries Corp.*, 544 U.S. 280, 125 S. Ct. 1517, 161 L. Ed. 2d 454 (2005); *Federacion de Maestros de Puerto Rico v. Junta de Relaciones del Trabajo de Puerto Rico*, 410 F.3d 17 (1st Cir. 2005); *Cooper v. Ramos*, 704 F.3d 772 (9th Cir. 2012); *Bolden v. City of Topeka, Kan.*, 441 F.3d 1129 (10th Cir. 2006).
- 10 U.S.—*Exxon Mobil Corp. v. Saudi Basic Industries Corp.*, 544 U.S. 280, 125 S. Ct. 1517, 161 L. Ed. 2d 454 (2005); *Federacion de Maestros de Puerto Rico v. Junta de Relaciones del Trabajo de Puerto Rico*, 410 F.3d 17 (1st Cir. 2005).
- For discussion of federal court abstention, see C.J.S., *Federal Courts* §§ 51 to 92.
- As to comity between federal and state courts in the context of parallel litigation, generally, see § 280.
- 11 U.S.—*Truong v. Bank of America, N.A.*, 717 F.3d 377 (5th Cir. 2013).